

2160-1

Of Counsel:

BURKE McPHEETERS BORDNER & ESTES

WILLIAM A. BORDNER 1371-0

(bbordner@bmbe-law.com)

JOHN REYES-BURKE 6251-0

(jburke@bmbe-law.com)

Suite 3100 - Mauka Tower

Pacific Guardian Center

737 Bishop Street

Honolulu, Hawaii 96813

Telephone No. (808) 523-9833

Fax No. (808) 528-1656

Attorneys for Defendant

and Third-Party Plaintiff

FRANKLIN K. MUKAI

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD.,

Plaintiff,

vs.

QK HOTEL, LLC, et al.,

Defendants,

and

FRANKLIN K. MUKAI, et al.,

Third-Party Plaintiffs,

vs.

SPORTS SHINKO (USA) CO.,

CIVIL NO. 04-00124 ACK/BMK

CIVIL NO. 04-00125 ACK/BMK

CIVIL NO. 04-00126 ACK/BMK

CIVIL NO. 04-00127 ACK/BMK

CIVIL NO. 04-00128 ACK/BMK

(CONSOLIDATED CASES)

DEFENDANT FRANKLIN K.

MUKAI'S SUBMISSION RE

NOTICE FILED MARCH 21,

2007; CERTIFICATE OF

SERVICE

Trial Date: January 29, 2008

LTD., et al.,

Third-Party
Defendants,

and

SPORTS SHINKO (HAWAII) CO.,
LTD., et al.,

Third-Party
Defendants/
Counterclaimants,

vs.

QK HOTEL, LLC, et al.,

Third-Party
Counterclaim
Defendants.

AND CONSOLIDATED CASES

DEFENDANT FRANKLIN K. MUKAI'S SUBMISSION RE NOTICE
FILED MARCH 21, 2007

Defendant Franklin K. Mukai hereby responds to the
Notice filed herein by the Honorable Alan C. Kay on March 21,
2007 regarding the Court's investment in a mutual fund managed
by Goldman Sachs.

Defendant Mukai does not believe that Judge Kay's investment in the foregoing mutual fund constitutes a financial interest such that recusal or disqualification is required.

DATED Honolulu, Hawaii, March 27, 2007.

/s/ John Reyes-Burke _____
JOHN REYES-BURKE
Attorney for Defendant
FRANKLIN K. MUKAI

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

SPORTS SHINKO CO., LTD.,

Plaintiff,

vs.

QK HOTEL, LLC, et al.,

Defendants,

and

FRANKLIN K. MUKAI, et al.,

Third-Party Plaintiffs,

vs.

SPORTS SHINKO (USA) CO.,
LTD., et al.,

Third-Party
Defendants,

and

SPORTS SHINKO (HAWAII) CO.,
LTD., et al.,

Third-Party
Defendants/
Counterclaimants,

vs.

QK HOTEL, LLC, et al.,

Third-Party
Counterclaim
Defendants.

AND CONSOLIDATED CASES

CIVIL NO. 04-00124 ACK/BMK
CIVIL NO. 04-00125 ACK/BMK
CIVIL NO. 04-00126 ACK/BMK
CIVIL NO. 04-00127 ACK/BMK
CIVIL NO. 04-00128 ACK/BMK
(CONSOLIDATED CASES)

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served electronically through CM/ECF:

PAUL ALSTON, ESQ.	(palston@ahfi.com)	3/27/07
GLENN T. MELCHINGER, ESQ.	(gtm@ahfi.com)	3/27/07
Alston Hunt Floyd & Ing		
1800 ASB Tower		
1001 Bishop Street		
Honolulu, HI 96813		

Attorneys for Plaintiffs
and Third-Party Defendants

WARREN PRICE, III, ESQ.	(wprice@pohlhawaii.com)	3/27/07
ROBERT A. MARKS, ESQ.	(ram@pohlhawaii.com)	3/27/07
Price Okamoto Himeno & Lum		
728 Ocean View Center		
707 Richards Street		
Honolulu, HI 96813		

Attorney for Defendants
KG HOLDINGS, LLC
KG KAUAI DEVELOPMENT, LLC;
KG MAUI DEVELOPMENT, LLC;
KIAHUNA GOLF CLUB, LLC;
MILILANI GOLF CLUB, LLC
OR HOTEL, LLC;
PUKALANI GOLF CLUB, LLC
PUKALANI GOLF CLUB, LLC;
and QK HOTEL, LLC

DATED Honolulu, Hawaii, March 27, 2007.

/s/ John Reyes-Burke _____
JOHN REYES-BURKE
Attorney for Defendant
FRANKLIN K. MUKAI